

Noureddine Malki  
34-16 College Point Boulevard  
Flushing, Queens  
New York, NY 11354

RECEIVED  
HON. Brian M. Cogan

MAR 27 2017

03/20/2017

Honorable Judge Brian Cogan  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, NY 11201

Re: **Noureddine Malki V. United States**  
**Miscellaneous Docket No. 16-1680(BMC)**

Dear Judge Cogan,

I object to the prosecutors handling of data submitted to me in a CD, which contains less than 10% of the graphic files I requested from my laptop computer. I know what's on my laptop and I am confident that there is nothing "contraband" or "jihadist" and that This Honorable Court will eventually decide this case in my favor.

From the beginning of this process of taking back what belongs me, the prosecutor insisted that that my laptop computer should be destroyed because it is assumed to be tainted by classified information even though no classified information was ever uploaded up to it. Later on, I gave up my attempts to get my computer back and just wanted to end this ordeal by merely asking for the return of all content that is not "contraband" or "jihadist". Now, the prosecutor has changed the tone and is trying to focus on preventing me from possessing my own graphic files in the form of pictures and videos, which are unquestionable parts of my memories.

In trying to use this new front to keep my files, the prosecutor through his agent, John Ross, alluded to words such as "Contraband" and "Jihadist Materials". I conducted a search for both words to understand what implications, if any, do they have with my personal graphic files. I could not find any whatsoever.

Pursuant to **Black's Law Dictionary**, an authority in defining of the terms and phrases of American and English Jurisprudence, ancient and modern, contraband is defined as:

*Contraband. In general, any property which is unlawful to produce or possess. Goods exported from or imported into a country against its laws. Articles, the importation or exportation of which is prohibited by law. Smuggled goods. See also Derivative contraband.*

Pursuant to **Merriam-Webster Law Dictionary**, the legal definition of contraband is defined as:

- : property that is unlawfully produced, possessed, or transported*
- contraband per se*
- : property that is in and of itself unlawful to possess, produce, or transport*
- derivative contraband*
- : property that is unlawful because it is used in committing an unlawful act*

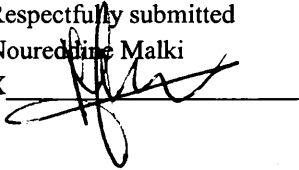
As for the word Jihad or "Jihadist" I would mention **John Louis Esposito**, who is an American professor of International Affairs and Islamic Studies at Georgetown University in Washington, D.C. He is also the director of the Prince Alwaleed Center for Muslim-Christian Understanding at Georgetown. According to **John Esposito**, the term "**jihad**" has accrued both violent and non-violent meanings. It can simply mean striving to live a moral and virtuous life, spreading and defending Islam as well as fighting injustice and oppression, among other things. The relative importance of these two forms of jihad is a matter of controversy. However, whatever the definition of the word might be, this has unquestionably nothing to do with the content of my laptop and the graphic files, which were mistakenly attributed to "**Jihadist Materials**" and/or "**contraband**" just because I am of a Muslim faith.

I therefore respectfully request from this Honorable Court to refer this case to a Magistrate Judge for a hearing on the forensic feasibility of defining what's "**contraband**" and what's "**jihadist**" and deciding the case for the facts presented.

Respectfully submitted

Nouredine Malki

X



Cc: Clerk of the Court(BMC) (By US Mail)

Douglas Pravda A.U.S.A (By US Mail)



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